

# GHAJAR EXHIBIT 20

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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RICHARD KADREY, et al., )  
)  
Individual and )  
Representative Plaintiffs, ) 3:23-cv-03417-VC  
vs. )  
)  
META PLATFORMS, INC., a )  
Delaware corporation, )  
)  
Defendant. )

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VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF  
EMILY BENDER, Ph.D.

**\*\*CONFIDENTIAL TESTIMONY\*\***

**\*\*Page 195 Line 4 through Page 198 Line 4\*\***

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9:20 A.M.

FEBRUARY 25, 2025

1215 FOURTH AVENUE, SUITE 1350

SEATTLE, WASHINGTON

REPORTED BY: CARLA R. WALLAT, CRR, RPR  
WA CCR 2578, OR CSR 16-0443, CA CSR 14423

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1 A. Uh-huh. 03:39PM

2 Q. And so you agree with Dr. Ungar that the model 03:39PM

3 weights are nonreversible in the sense that they cannot 03:40PM

4 be used to regenerate the specific texts from which 03:40PM

5 they were derived? 03:40PM

6 A. I -- from what I know of the literature, I 03:40PM

7 believe it is not possible to get back the full input 03:40PM

8 training corpus. There is work by Nicholas Carlini, et 03:40PM

9 al., showing that you can get snippets coming out, but 03:40PM

10 I don't think you can reverse engineer the whole 03:40PM

11 training corpus. 03:40PM

12 Q. Do you know whether Carlini's papers were in 03:40PM

13 reference to large language models or diffusion models? 03:40PM

14 A. The Carlini paper that I'm thinking of looking 03:40PM

15 at personally identifiable information was looking at 03:40PM

16 large language models, yes. 03:40PM

17 Q. Is that a paper that you reviewed or relied on 03:40PM

18 in preparing your report? 03:40PM

19 A. No. It's something that I've read in other 03:40PM

20 contexts. 03:40PM

21 Q. In paragraph 183 [sic] you say, "This lack of 03:41PM

22 reversibility does not negate the importance of 03:41PM

23 original texts to the process of LLM development." 03:41PM

24 Did Dr. Ungar say anywhere in his report that 03:41PM

25 original texts are not important to the process of LLM 03:41PM

1           A. So you've just said the model's used to           03:48PM  
2       synthesize text, so what is the model? The model is a   03:48PM  
3       collection of weights. Where do the weights come from?   03:48PM  
4       The weights come from processing input text, right?   03:48PM

5           If you don't have input text, it doesn't           03:48PM  
6       matter how clever the training algorithm, it doesn't   03:48PM  
7       matter how much compute time you use. If there's no   03:48PM  
8       input text, there's no model.                           03:48PM

9           And this is -- the connection that I see here   03:48PM  
10       is that the outputs are what we care about, supposedly,   03:48PM  
11       I mean, I don't, but people do, and in order to get   03:48PM  
12       those outputs, you need an algorithm, you need the   03:48PM  
13       compute time, you also need the inputs. And the inputs   03:49PM  
14       are what's not so closed.                           03:49PM

15          Q. Okay. And so you are -- I think you are not a   03:49PM  
16       lawyer you said?                                   03:49PM

17          A. Not a lawyer.                                   03:49PM

18          Q. And not a copyright expert?                   03:49PM

19          A. Correct.                                       03:49PM

20          Q. Okay.   03:49PM

21          A. Also not a good copywriter apparently with my   03:49PM  
22       typos.   03:49PM

23          Q. And you're not rendering any opinion that the   03:49PM  
24       outputs for -- any output from Llama has ever been   03:49PM  
25       substantially similar to the weights or code comprising   03:49PM

1 the model, right? 03:49PM

2 A. So output is text, and weights and code are 03:49PM

3 numerical. So I wouldn't expect those to be similar. 03:49PM

4 Q. Okay. Those are different things? 03:49PM

5 A. Different things. There's a -- there's a 03:49PM

6 dependency between them, but they're different things. 03:49PM

7 Q. Okay. What are you being paid in connection 03:49PM

8 with your work on this case? 03:49PM

9 MR. HUTCHINSON: Objection. Asked and 03:50PM

10 answered. 03:50PM

11 MS. DUNNING: I haven't asked that 03:50PM

12 question at all yet. 03:50PM

13 A. My fee for this work is \$2,000 an hour. 03:50PM

14 Q. (BY MS. DUNNING) Okay. And so at roughly 03:50PM

15 32 hours, you've spent -- you're expecting to be paid 03:50PM

16 somewhere north of \$64,000? 03:50PM

17 A. Correct. 03:50PM

18 Q. How did you determine the rate to charge for 03:50PM

19 the work on this case? 03:50PM

20 A. As it happens, I have a consulting fee posted 03:50PM

21 on my web page and it was posted as \$2,000 an hour 03:50PM

22 before I was approached for this case. 03:50PM

23 Q. Okay. So the rate you're charging in this 03:50PM

24 case is consistent with the consulting fee you charge 03:50PM

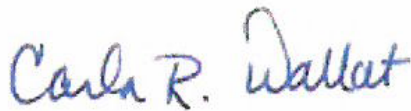
25 for other work? 03:50PM

## REPORTER'S CERTIFICATE

I, CARLA R. WALLAT, CCR, CSR, RPR, CRR, the undersigned  
Certified Court Reporter, authorized to administer oaths and  
affirmations in and for the states of Washington (2578),  
Oregon (16-0443), and California (14423) do hereby certify:

That the sworn testimony and/or proceedings, a  
transcript of which is attached, was given before me at the  
time and place stated therein; that any and/or all witness(es)  
were duly sworn to testify to the truth; that the sworn  
testimony and/or proceedings were by me stenographically  
recorded and transcribed under my supervision. That the  
foregoing transcript contains a full, true, and accurate  
record of all the sworn testimony and/or proceedings given and  
occurring at the time and place stated in the transcript; that  
a review of which was not requested; that I am in no way  
related to any party to the matter, nor to any counsel, nor do  
I have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this 6th day of  
March 2025.



CARLA R. WALLAT, RPR, CRR

Washington CCR #2578, Expires 1/5/2026

Oregon CSR #16-0443, Expires 9/30/2027

California CSR #14423, Expires 1/31/2026